

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

M2 CONSULTING, INC.

Plaintiff,

v.

C.A. No. 03-12589-GAO

MRO SOFTWARE, INC.

Defendant.

**MRO SOFTWARE, INC.’S MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to 17 U.S.C. § 502(a) and Fed. R. Civ. P. 65, defendant and plaintiff-in-counterclaim MRO Software, Inc. (“MRO”) respectfully moves for entry of a preliminary injunction against plaintiff and defendant-in-counterclaim M2 Consulting, Inc. (“M2”), based on M2’s ongoing illegal copyright infringement of MRO’s MAXIMO computer software program. The grounds for this motion are set forth in detail in MRO’s accompanying memorandum of law.

In further support of this motion MRO has filed herewith the Affidavits of James Battle, Craig Newfield and Lee Gesmer.

MRO respectfully requests that the Court an injunction in the form attached at Tab A.

Respectfully Submitted,

/s/ Kurt Bratten

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Dated: December 30, 2005

Local Rule 7.1 Certificate of Compliance

Counsel for the Defendant hereby certifies that, pursuant to Rule 7.1(A)(2) of the Local Federal Rules of Civil Procedure, he (1) has conferred with counsel for the Plaintiff regarding the attached Motion, and (2) has attempted in good faith to resolve or narrow the issues presented.

/s/ Lee Gesmer  
Lee Gesmer